



Attorney Docket No. 7388-1921

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

MATOKA et al.

Art Unit: 1631

Application No.: 09/101,236

Examiner: A. Marschel

Filed: July 5, 1998

For: METHOD OF SIMULATING INDOOR BEHAVIOR  
OF PESTICIDAL COMPOUND

September 28, 2001

**RESPONSE TO REQUIREMENT FOR RESTRICTION**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the requirement for restriction dated August 31, 2001, Applicants respectfully request reconsideration and withdrawal of the requirement for restriction; and entry of the new oath/power of attorney to the undersigned submitted herein on August 29, 2001.

Applicants elect with traverse species A of claims 1, 2, 9, 19 and 20.

To assist the Examiner, Applicants elect a species including (iv) Calculation of Estimated Exposure Amount in Inhalation and Inhalation Safety Coefficient described in (1) First Embodiment. There species, as described on page 29, lines 1-4, "spraying site 1, larger particles (suspended particles), 2, small particles (suspended particles), 3, whole indoor air 4, floor 5, wall 6 and ceiling 7", and in order to determine a compound's behavior as fugacity (hereinbelow referred as "f"), (ii) Fugacity Calculation (S3) may be performed by utilizing the "Runge-Kutta-Gill Method" described in the equations (15) to (18) and on page 52, lines 21-23, and as the result obtain values of f1 to f7. Further, as described on page 57, after "temporal concentration in the door air" is calculated by utilizing f4 and f3, "means concentration in the door" is obtained, and "estimated exposure amount in inhalation [mg/kg/day] may be calculated. Further, "Estimated exposure amount in halation

[mg/kg/day] is inserted into the equation described on page 59 so that "inhalation safety coefficient" is obtained.

Attention is also invited to MPEP 803 and the fact that all claims can be examined in one application. The Examiner has the benefit of the ISR and IPER, and thus much ground has already been covered by other Examiners who are presumed to be skilled in this art. It is respectfully suggested that the examination can therefore be had with one application.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: 

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In re Application of: MATOBA et al  
Application No. 09/101,236  
Filed: July 5, 1998  
For:

METHOD OF SIMULATING INDOOR BEHAVIOR OF PESTICIDAL COMPOUND

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

September 28, 2001

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Sir:

Transmitted herewith is a response to an office action in the subject application.

☐ small entity status of this application under 37 CFR 1.27.
**DUE DATE: September 30, 2001**

☒ Petition For Extension Of Time

☐ for a -month extension of time under 37 CFR 1.136, the fee of \$0.00 is enclosed.

☒ petition for an extension of time is **NOT** necessary. However, to the extent that such petition is deemed necessary, for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 06-1135 for the appropriate petition fee.

☒ No additional claim fee is required.

☐ Other:

The claim fee has been calculated as shown below:

The claim fee has been calculated as shown below.

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDIT. CLAIM FEE	RATE	ADDIT. CLAIM FEE
TOTAL	36	MINUS	36	0	x 9=	\$ -	x 18=	\$ 0.00
INDEPENDENT	2	MINUS	2	0	x 40=	\$	x 80=	\$ 0.00
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 135=	\$	+ 270=	\$
					TOTAL	\$	TOTAL	\$0.00

☐ Please charge my Deposit Account No. 06-1135 in the amount of \$0.00. A duplicate copy of this sheet is attached.

☐ A check in the amount of \$0.00 is attached.

☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 06-1135. A duplicate copy of this sheet is attached.

☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

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